

ENVIRONMENTAL QUALITY COMMISSION

EQC Public Meeting

March 22, 2000

Room 131 Capitol Annex, Frankfort

The Kentucky Environmental Quality Commission (EQC) held a public meeting on March 22, at 2:30 at the Capitol Annex in Frankfort, Kentucky. Commissioners present were Chair Aloma Dew, Vice-Chair Betsy Bennett, Bob Riddle, Patty Wallace, and Gary Revlett. EQC staff present was Leslie Cole, Scott Richards, Erik Siegel, and Frances Kirchhoff. There were approximately 75 people in attendance.

EQC Chair, Aloma Dew called the meeting to order. A motion was made by Betsy Bennett and seconded by Gary Revlett to approve the minutes for the February 24 meeting. The motion carried unanimously.

Tom FitzGerald, Director of the Kentucky Resources Council, gave an update of the 2000 legislative session. Mr. FitzGerald declared that every session has its own tenor and this session is not marked by a progressive amount of environmental legislation. Some bright spots are that the Takings Bill (House Bill 446) appears to be dead. The state superfund hazardous waste fee will be funded for two more years. It was due to sunset in June 2000 and has been re-authorized by the Senate for two years. The House Agriculture Committee passed House Bill 940, which would over-turn the NREPC CAFO/AFO emergency regulations that are now in place. House Bill 665 came back from the Senate with portions of that same bill attached to it. It is now pending for concurrence in the House. It is unclear whether the House is going to call it up for concurrence. The Billboard Bill (Senate Bill 172) would allow the removal of vegetation that obscures a private billboard company's message from being seen by people traveling public roads. The budget did not include money for the acquisition of Blanton Forest but the House did put money in the budget. The Environmental Education Master Plan has not been funded. It was to be funded by House Bill 1, the Bottle Bill, and it has died. The Division of Forestry and Kentucky Nature Preserve Commission budgets are losing funding. Jefferson County suffered greatly in its ability to govern itself on environmental matters.

Mr. Bruce Williams, Deputy Secretary for the Natural Resources and Environmental Protection Cabinet, stated that the Brownfields Bill (House Bill 290) is being negotiated and is confident they will be able to work it out. House Bill 643 concerning a hazardous waste fee, passed both the House and the Senate, and will be extended for two years. House Bill 940, the animal feed operations and confined animal feed operations (AFO and CAFOs) was attached to House Bill 665 in the Senate and negotiations on that bill are continuing. James E. Bickford, Secretary for the Natural Resources and Environmental Protection Cabinet, and Governor Paul Patton are in favor of integrator liability. But some big poultry and swine

companies have threatened to move out of Kentucky if this is passed. There are several bills concerning surface mining. Some will not pass because they do not meet Federal regulations such as House Bill 642. The Republicans in the Senate have their own version of what the budget should be and that version does not include any new taxes, but the House version does include taxes. Mr. Williams said that he had not heard any talk about Black Mountain, but assumed the money is still available. The budget is supposed to come out of committee today. The update was followed by discussion.

Chairperson Dew next introduced Ms. Jane Wilson Eller, Director of the Kentucky Environmental Education Council (KEEC). Ms. Eller thanked the Commission for the opportunity to talk about environmental education in Kentucky, and recognized KEEC council members in the audience: Horace Brown, Greg Higdon, Evelyn Morgan, and Ms. Frances Carter.

Ms. Eller asked the Youth Environmentally Aware (YEA) club members (Hasson Makdoviy, Katy Spalding, Tyler Herman, and John Carroll) to come forward to talk about their vision of what environmental education should be. The top ten environmental issues that face Jefferson County as seen by the youth at the YEA conference held in Louisville on March 3, were: 1) Clean air, 2) Clean water, 3) Reducing, Reusing and Recycling, 4) Animals ö Our Biodiversity, 5) Pollution and Global Warming, 6) Garbage, Litter and Landfills, 7) Health Issues, 8) Population and Urban Sprawl, 9) Opportunities for Youth Involvement, and 10) Trees, Brownfields and Loss of Habitat. The YEA representatives asked the EQC to support the bill before the Legislators that will provide funds of KEEC.

Next Ms. Eller introduced Ms. Frances Carter, a biology teacher at Southwestern High School, in Somerset, and the 1999 Biology Teacher of the Year. Ms. Carter gave a slide program featuring techniques she uses to teach environmental education. Some hands-on educational tools used are birds of prey, a green house, a nature trail, water and soil sampling, and an amphitheater where classes are held. Ms. Carter showed how these different tools, in addition to grant writing and public speaking, meet the requirements of the Kentucky Education Reform Act (KERA). These educational activities are hands-on, inter-disciplinary, real world, and solve problems. The students take what they learn and do presentations about birds of prey to local groups such as bird clubs and residents at rest homes.

After Ms. Carter's presentation Ms. Eller then gave a presentation detailing the Kentucky Environmental Education Council's Master Plan, *Land, Legacy and Learning*. The plan's biggest challenge is funding. Ms. Eller pointed out that last year the state spent \$4 million cleaning up illegal dumps. For \$1.5 million, environmental education could make a start in teaching people not to throw things in dumps, streams, and sinkholes. Pay now or pay later. Chairperson Dew read a draft of a resolution supporting funding for the Kentucky Environmental Education Council's Master Plan. A motion was made by Betsy Bennett to approve the resolution. It was seconded by Patty Wallace and Bob Riddle and passed unanimously. A copy is attached and made part of these minutes.

The EQC business meeting followed the presentations of the invited guests. The first item of business was the Owensboro Municipal Utilities (OMU) tire derive fuel permit. Executive Director, Leslie Cole, presented a copy of a memo to the Commissioners from Bob Logan, Commissioner of the Department

for Environmental Protection (DEP). The memo stated that the Natural Resources and Environmental Protection Cabinet still believes that the results of the trial burn and other supporting data do not indicate the need for additional testing for Polycyclic Aromatic Hydrocarbons (PAHs) and dioxins at this time. The DEP letter offered to arrange a meeting with EQC, OMU and DEP personnel to discuss this issue further. It was decided that no immediate action was necessary and that a local call for more testing might be more effective.

?Next on the agenda was the letter from Secretary Bickford to Secretary Helton, Cabinet for Health Services. The letter outlined EQC's concerns about onsite sewage and the lack of funding requested in this year's budget to support the state level onsite sewage program. This letter shows that Secretary Bickford is committed to this issue and hopefully will be able to get something done.

?The next agenda item was Earth Day. Governor Patton has been invited to be the keynote speaker, but has not yet responded. Nominations were given to the commissioners along with a ballot sheet.?

A draft of the Best of Kentucky database was given to the commissioners. It was sent to all county judge/executives and city mayors for review. EQC plans to have it on-line by May.

The process has begun for preparation of the 2000-2001 State of Kentucky's Environment report. Meetings with various agencies for data collection are being scheduled. This report will be published in June, 2001. The format will be the same as the 98-99 report.

?The budget report shows that we are in good shape with 67% of the year lapsed and 64% of the budget spent. We are planning to buy some computer software and equipment to put the report on a CD-ROM.

?Newspaper articles were given to the Commissioners to be read at their leisure.

?Ms. Cole advised the Commissioners that she would be taking a trip to China to adopt her daughter. Her leave of absence will begin April 4.

?The next meeting is April 19, EQC's Earth Day Awards Ceremony. A meeting might be scheduled in May to do a wrap-up of the legislative session. The next scheduled meeting is June 22, a field trip to Black Mountain.

?With no further business the meeting adjourned at 4:30.

sign

date